IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

WP(Crl.).No. 9 of 2007(S)

PETITIONER:

NOUFAL.U., AGED 30 YEARS,
S/O.USMANKUTTY HAJI, NEDUMGAKULAM HOUSE,
PUNNAPRA VILLAGE, AMBALAPUZHA TALUK,
ALAPPUZHA DISTRICT.

BY ADV. SRI.K.A.JALEEL

RESPONDENTS:
----

1. JINESH MANILAL,
S/O.MANIYAN, JISHE NIVAS, BEHIND B.O.C
NEAR VILLAGE OFFICE, ALICHUVADU, VENNALA P.O.,
COCHIN-28.

2. DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM.

3. CITY POLICE COMMISSIONER,
KOCHI CITY, ERNAKULAM.

4. SUB INSPECTOR OF POLICE,
PALARILVATTOM POLICE STATION,
ERNAKULAM.

5. SUB INSPECTOR OF POLICE,
CHENGAMANAD POLICE STATION,
ERNAKULAM.

BY GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 18/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN,JJ.

W.P.(Crl.)No.9 OF 2007

Dated 18th January, 2007

JUDGMENT

Koshy,J.

It is the case of the petitioner that she divorced his wife, the first respondent. The first respondent is keeping the child with her. According to the first respondent, petitioner is living with another lady. Whatever may be that, the fact remains that the child is with the first respondent, mother of the child. Therefore, we are not going into the other allegations made by the petitioner. The child is at the tender age. If the petitioner wants custody of the child, it is for him to approach the Family Court. Till then the child will be with the mother and without prejudice to the remedies of the petitioner to approach the Family Court, this habeas corpus petition is dismissed.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

tks